

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA

v.

CHRISTOPHER A. HAMILTON

FEB 25 2009

JUDGMENT IN A CRIMINAL CASE

(For Revocation of Probation or Supervised Release)
Case Number: 02-CR-256

USM Number: 02006-089

Brian P. Mullins

Defendant's Attorney

William J. Lipscomb

Assistant United States Attorney

The defendant acknowledges that he violated the terms of his supervised release. ACCORDINGLY, the defendant is adjudicated guilty of committing the following violations.

<u>Nature of Violations</u>	<u>Date of Violations</u>	<u>Grade of Violations</u>
Missed urine screens	8/18/08, 8/28/08, 9/3/08, 9/10/08, 9/17/08, 10/3/08, 10/15/08, 10/27/08, 12/12/08, 12/20/08 12/23/08, 1/8/09 and 1/20/09	C
Failed to report to the Attic for Moral Reconation Therapy Group	1/8/09 and 1/15/09	C
Failed to cooperate with the Child Support Enforcement Unit	July 2008 through October 2008	C
Failed to submit Monthly Supervision Reports	July 2008 through January 2009	C
Failed to contact his Probation Officer as directed; and Failed to report to his Probation Officer as directed	7/31/08, 9/3/08, 9/10/08 and 10/3/08 12/12/08 and 1/13/09	C C
Urine screens which tested positive for cocaine; and Urine screen which tested positive for marijuana	8/25/08 and 9/23/08 2/11/09	C C
Failed to contact Silver Spring Psychotherapy Associates to schedule mental health counseling	December 2008 through January 2009	C

The defendant is sentenced as provided in Pages 2 through 6 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

The defendant has not violated condition(s) _____ and is discharged as to such alleged violation(s). It is ordered that the defendant must notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and the United States attorney of any material change in the economic circumstances.

February 25, 2009

Date of Imposition of Judgment

Signature of Judicial Officer

C. N. Clevert, Jr., U. S. District Judge

Name & Title of Judicial Officer

February 25, 2009
Date

Defendant: Christopher A. Hamilton
Case Number: 02-CR-256

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for **one (1) year and one (1) day**.

- The court makes the following recommendations to the Bureau of Prisons:
Designation to a medical facility; and
Participation in the Inmate Financial Responsibility Program if the Special Assessment has not already been paid in full.
- The defendant is remanded to the custody of the United States Marshal.
- The defendant shall surrender to the United States Marshal for this district.
 - at _____ on _____.
 - as notified by the United States Marshal.
- The defendant shall surrender for service of sentence
 - before 2 p.m. on _____.
 - as notified by the United States Marshal.
 - as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____
at _____ with a certified copy of this judgment.

UNITED STATES MARSHAL

By:

DEPUTY UNITED STATES MARSHAL

Defendant: Christopher Hamilton**Case Number: 02-CR-256****SUPERVISED RELEASE**

Upon release from imprisonment, the defendant is placed on supervised release for a term of **three (3) months**.

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

The defendant shall not illegally possess any controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter as directed.

- The above drug testing condition is suspended based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)
- The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon. (Check, if applicable.)
- The defendant shall cooperate in the collection of DNA as directed by the probation officer. (Check, if applicable.)
- The defendant shall register with the state sex offender registration agency in the state where the defendant resides, works, or is a student, as directed by the probation officer. (Check, if applicable.)
- The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)

If this judgment imposes a fine or restitution, it is a condition of supervised release that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without permission of the court or probation officer;
- 2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notification and to confirm the defendant's compliance with such notification requirement.

Defendant: CHRISTOPHER A. HAMILTON
Case Number: 02-CR-256

ADDITIONAL CONDITIONS OF SUPERVISED RELEASE

1. Within 72 hours of release from imprisonment from the custody of the Bureau of Prisons, the defendant shall report in person to the probation office in the district to which the defendant is released.
2. The defendant shall not possess any ammunition, firearms or other dangerous weapons.
3. Pursuant to the Violent Crime Control and Law Enforcement Act of 1994, the defendant shall not illegally possess or unlawfully use any controlled substance. Such possession or use will result in revocation of the supervision term and the defendant will be obligated to serve a further term in prison.
4. The defendant shall participate in a program of testing and residential or outpatient treatment for drug and alcohol abuse, as approved by the supervising probation officer, until such time he is released from such program by the supervising probation officer. The defendant shall refrain from the use of all alcoholic beverages throughout the period of supervision. A violation of this condition will result in revocation.
5. The defendant shall participate in a mental health treatment program and shall take any and all medically necessary prescribed medications as directed by the provider and participate in any psychological/psychiatric evaluation and counseling as approved by the supervising probation officer. Failure to undergo treatment as directed will constitute a violation of supervised release.
6. The defendant shall cooperate with the Child Support Enforcement Unit in payment of any child support or arrearages and to make regular payments under the guidance and supervision of the supervising probation officer.
7. The defendant shall provide the supervising probation officer with access to all financial information including, but not limited to, copies of federal and state tax returns. All tax returns shall be filed on time, with copies provided to the supervising probation officer immediately upon filing. The defendant shall also file monthly financial reports so that the supervising probation officer can verify income.
8. The defendant shall cooperate in the collection of DNA as directed by the probation officer.

Defendant: CHRISTOPHER A. HAMILTON
Case Number: 02-CR-256

CRIMINAL MONETARY PENALTIES

The defendant shall pay the following total criminal monetary penalties in accordance with the schedule of payments set forth on Sheet 5, Part B.

	<u>ASSESSMENT</u>	<u>FINE</u>	<u>RESTITUTION</u>
Totals:	\$100.00	None	None

Defendant: CHRISTOPHER A. HAMILTON
Case Number: 02-CR-256

SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties shall be due as follows:

- A Lump sum payment of \$100.00 for the Special Assessment is due immediately. If the defendant cannot immediately pay the Special Assessment in full, payments shall be made in accordance with C, D, or E below.**
- B Payment to begin immediately (may be combined with C, D, or E below); or**
- C Payment in _____ (e.g. equal, weekly, monthly, quarterly) installments of \$_____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after the date of this judgment; or**
- D After the special assessment has been paid in full, the defendant shall make monthly payments of \$_____.**
- E Special instructions regarding the payment of criminal monetary penalties: **The defendant shall make payments toward the Special Assessment as directed by the Bureau of Prisons' Inmate Financial Responsibility Program in accordance with the rules existing at the time of sentencing.****

Unless the court has expressly ordered otherwise in the special instructions above, if this judgment imposes a period of imprisonment, payment of criminal monetary penalties shall be due during the period of imprisonment. All criminal monetary penalty payments, except those payments made through the Bureau of Prisons' Inmate Financial Responsibility Program are made to the clerk of the court, unless otherwise directed by the court, the probation officer, or the United States attorney.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

- Restitution is joint and several.
- The defendant shall pay the cost of prosecution.
- The defendant shall pay the following court cost(s):
- The defendant shall forfeit his/her interest in the following property to the United States:

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) community restitution, (6) fine interest (7) penalties, and (8) costs, including cost of prosecution and court costs.